Article - Criminal Procedure

§5–204.

(a)   In a criminal case in a circuit court in which the defendant is allowed to give bail, the clerk of the court may take the bail if:

(1)   the court adjourns before the defendant has secured the bail; and

(2)   the court before adjournment, or any judge of the court after adjournment, issues an order that sets the amount of the bail and directs the clerk to take the bail.

(b)   If a defendant is arrested on indictment in a bailable case in a circuit court and is confined during the recess of the court, any judge of the court, by written order, may set the amount of the bail and direct the clerk to take the bail with security.

(c)   The clerk may not accept security for bail unless:

(1)   the person offering the security states under oath that the person owns real or personal property worth the amount of the bail, exclusive of the person's right to exemption from execution; and

(2)   the clerk is satisfied that the statement is true.